

State of South Dakota

SEVENTY-THIRD SESSION
LEGISLATIVE ASSEMBLY, 1998

733B0777

HOUSE BILL NO. 1283

Introduced by: Representatives Duniphan, Belatti, Chicoine, Eccarius, Fischer-Clemens,
Munson (Donald), Richter, and Van Gerpen and Senators Whiting, Aker,
Brosz, Dunn (Rebecca), and Staggers

- 1 FOR AN ACT ENTITLED, An Act to provide that any person convicted of or who has pled
2 nolo contendere to a fourth or subsequent offense of driving under the influence is guilty of
3 a Class 5 felony regardless of the time that has elapsed between convictions or pleas.
4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:
5 Section 1. That chapter 32-23 be amended by adding thereto a NEW SECTION to read as
6 follows:
7 Notwithstanding the provisions of § 32-23-4.1, any person convicted of or who has pled nolo
8 contendere to a fourth or subsequent offense under § 32-23-4.6 is guilty of a Class 5 felony
9 regardless of the time that has elapsed between convictions or pleas.